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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/753,017	12/29/2000	Tal Isaac Lavian	10360-056001 / BA0366CIP	1257
26181	7590	11/16/2004	EXAMINER	
FISH & RICHARDSON P.C. 3300 DAIN RAUSCHER PLAZA MINNEAPOLIS, MN 55402			CASIANO, ANGEL L	
		ART UNIT	PAPER NUMBER	2182

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/753,017	LAVIAN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Angel L Casiano	2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 18 August 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-10 and 12-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 6-10, 12 and 18-21 is/are allowed.
- 6) Claim(s) 1-5 and 13-17 is/are rejected.
- 7) Claim(s) 22 and 23 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

***Response to Amendment***

1. The present Office action is in response to Amendment dated 18 August 2004.
2. Claims 1-10 and 12-23 are pending.

***Drawings***

3. Previous Objection to the Drawings has been overcome with the corrections filed in the present Amendment.

***Specification***

4. Previous Objection to the Specification has been overcome with the corrections filed in the present Amendment.

***Claim Objections***

5. Previous Objection to claim 3 has been overcome with the corrections filed in the present Amendment

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international

application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1, 5, and 13-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Chen et al. [US 6,625,590 B1].

Regarding claim 1, Chen et al. teaches a method of managing a network device (see Title; Abstract; col. 1, lines 27-30). In addition, the reference provides a command-line interface application interface compatible with CLI of a network device (see Abstract; col. 2, lines 2-6; col. 7, lines 60-67). Chen et al. also teaches receiving an instruction and generating a command in respond, where the command is compatible with the CLI of the network device (see col. 1, lines 51-56). Chen et al. also teaches a command-line interface including a “command processor”. This command processor is responsive to the validation of a command (see col. 1, lines 50-53). Therefore, the reference also teaches reception of command for controlling a given network device. The claim, as amended, also recites a “CLI-API generating a CLI command in response to receiving one or more instructions from the application”. Chen et al. teaches that interfaces generally permit an operator to control particular network devices (see col. 1, lines 25-27).

As for claim 5, Chen et al. teaches a command in the CLI of the network device capable of performing configuration of a network device (see col. 2, line 62; col. 5, lines 17-18). In addition, the cited art teaches specification of network management operations to be performed according to the command (see col. 1, lines 66-67).

Regarding claim 13, Chen et al. teaches a method of managing a network device (see Title; Abstract; col. 1, lines 27-30). In addition, the reference provides a command-line interface application interface compatible with CLI of a network device (see Abstract; col. 2, lines 2-6; col. 7, lines 60-67). Chen et al. also teaches receiving an instruction and generating a command in respond, where the command is compatible with the CLI of the network device (see col. 1, lines 51-56). Chen et al. exposes transmitting commands over a network to the network device (see Figures 2 and 3) and processing these commands on the network device. Chen et al. also teaches a command-line interface including a “command processor”. This command processor is responsive to the validation of a command (see col. 1, lines 50-53). Therefore, the reference also teaches reception of command for controlling a given network device. The claim, as amended, also recites a “CLI-API generating a CLI command in response to receiving one or more instructions from the application”. Chen et al. teaches that interfaces generally permit an operator to control particular network devices (see col. 1, lines 25-27).

As for claim 14, Chen et al. teaches managing aspects of the operation of the network device (see col. 2, lines 50-51).

As per claim 15, the prior art teaches results from the processing of the commands on the network device over the network (see Figure 3, “Response(s)”).

As for claim 16, Chen et al. teaches a network system having network management capabilities (see Abstract). In addition, the cited art discloses two network devices, where one of the network

devices is capable of executing applications that use a command-line interface application interface. This device generates commands compatible with the other network device (“target device”) and transmits these commands for execution (see Figures 2 and 3; col. 8, lines 5-34).

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 2-3, 4, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al. [US 6,625,590 B1] in view of Blumenau et al. [US 6,665,714 B1].

As for claims 2 and 3, Chen et al. teaches object implementation (see col. 3, lines 22-42). However, the cited reference does not teach method calls or class and methods compatible with the Java object-oriented programming language, as claimed. Regarding these limitations, Blumenau et al. teaches a method of managing a network device (see Abstract). The cited reference discloses a programming interface. The cited interface is compatible with the Java-object oriented programming language (see col. 18, lines 33-34). Accordingly, one of ordinary skill in the art would have been motivated to combine the cited disclosures in order to specify an interface, as implemented in software (see Blumenau et al., col. 18, line 25), for the prior art method.

As for claim 4, Chen et al. does not teach object-oriented classes or selecting from a set of classes including a session management class, an input-output class, a configuration class, and a macro-generation class. Blumenau et al. teaches a method of managing a network device (see Abstract). The cited reference discloses a programming interface. The cited interface is compatible with the Java-object oriented programming language (see col. 18, lines 33-34). In addition, the secondary reference (Blumenau et al.) teaches session management in a method for managing a network device (see col. 18, lines 40-61).

As per claim 17, Chen et al. a network management system (see col. 3, lines 22-42). However, the reference does not teach “object-oriented applications” compatible with the *Java* object-oriented programming language, as claimed. Regarding these limitations, Blumenau et al. teaches network management (see Abstract), where an interface is compatible with the *Java*-object oriented programming language (see col. 18, lines 33-34). Accordingly, one of ordinary skill in the art would have been motivated to combine the references in order to specify an interface, as implemented in software (see Blumenau et al., col. 18, line 25), for the prior art method.

***Allowable Subject Matter***

10. Claims 6-10, 12, and 18-21 are allowed.
11. Claims 22-23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

12. Applicant's arguments filed 18 August 2004 have been fully considered but they are not persuasive.

In the remarks, applicant argued in substance that Chen fails to teach a command-line interface application-programming interface. Examiner respectfully point to the reference in question. Chen et al. teaches a command-line interface including a “command processor”. This command processor is responsive to the validation of a command (see col. 1, lines 50-53). Therefore, the reference also teaches reception of command for controlling a given network device. Amended claim 1 recites a “CLI-API generating a CLI command in response to receiving one or more instructions from the application”. Chen et al. teaches that *interfaces generally permit an operator to control particular network devices* (see col. 1, lines 25-27).

***Conclusion***

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Chen et al. [US 6724408] teaches command line interface for reducing user input.
- Rigori et al. [US 5,892,950] teaches interface for telecommunications network management.

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

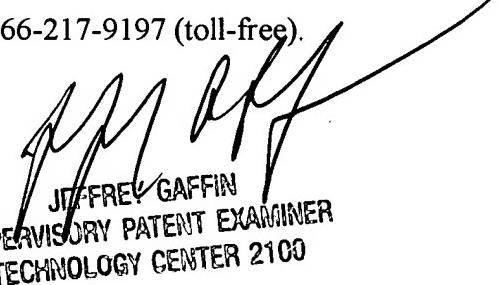
MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angel L Casiano whose telephone number is 571-272-4142. The examiner can normally be reached on 9:00-5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alc  
12 November 2004



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SUPERVISORY PATENT EXAMINER  
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